

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE COMMONWEALTH OF
MASSACHUSETTS,

Plaintiff, and

AQUINNAH/GAY HEAD COMMUNITY
ASSOCIATION, INC. (AGHCA) and
TOWN OF AQUINNAH,

Plaintiff-Intervenors,

v.

No. 1:13-CV-13286-FDS

THE WAMPANOAG TRIBE OF GAY HEAD
(AQUINNAH), THE WAMPANOAG TRIBAL
COUNCIL OF GAY HEAD, INC., and THE
AQUINNAH WAMPANOAG GAMING
CORPORATION,

Defendants/Counterclaim-Plaintiffs, and

CHARLES D. BAKER, in his official capacity as
Governor of the Commonwealth of
Massachusetts, MAURA T. HEALEY, in her
official capacity as Attorney General of the
Commonwealth of Massachusetts, and CATHY
JUDD-STEIN, in her official capacity as Chair of
the Massachusetts Gaming Commission,

Third Party Defendants.

[PROPOSED] FINAL JUDGMENT

Saylor, D.J.

In accordance with the opinion and mandate of the United States Court of Appeals for the First Circuit and the Orders of this Court dated July 28, 2015, and January 5, 2016, it is hereby ORDERED that:

1. The Wampanoag Tribe of Gay Head (Aquinnah), The Wampanoag Tribal Council of Gay Head, Inc., and The Aquinnah Wampanoag Gaming Corporation (collectively, the “Tribe”) may operate a Class II gaming facility on the Settlement Lands (as defined in the First Circuit’s opinion) without first receiving a gaming license from the Commonwealth of Massachusetts or complying with other laws and regulations of the Commonwealth and the Town of Aquinnah that regulate gaming activity; and
2. The Commonwealth and the Town of Aquinnah are permanently enjoined from enforcing laws and regulations that regulate gaming activity in connection with any Class II gaming facility operated by the Tribe on the Settlement Lands; and
3. The Tribe is permanently enjoined and restrained from constructing any gaming facility at any location within the Town of Aquinnah, including on the Settlement Lands, without first complying with all generally applicable permitting requirements of the Town of Aquinnah and the Commonwealth of Massachusetts, including but not limited to all building permit requirements of the Town of Aquinnah.

So ordered.

Dated:

F. Dennis Saylor IV
United States District Judge